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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,809	06/21/2000	Matthew J. Kotler	MS1-561US	8042
22801	7590	08/30/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/599,809

Applicant(s)

KOTLER ET AL.

Examiner

Paul Nguyen-Ba

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 41-50, 82-92, 98-101, 103, 106-116 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-13, 41-50, 82-92, 98-101 and 103 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 106-116 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/16/06, 2/17/06, 11/28/05, 11/18/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This action is responsive to Applicant's Amendments and Remarks filed on 3/6/2006.
2. Claims 1-13, 41-50, 82-92, 98-101, and 103 are currently pending.
 - a. Claims 106-116 have been newly added.
 - b. Claims 1, 41, 82, 85, 87, 89, 92, and 98 are independent claims.

Election/Restrictions

3. Newly submitted claims 106-116 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Inventions I (pending claims) and II (newly added claims 106-116) are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)).

In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because interpreting a cell of a table in a document to be primarily word-processing based or primarily spreadsheet based and applying control functions is not required for a table appearance manager to manage how a table appears in a document or for a spreadsheet manager to manage spreadsheet functions

in a table. The subcombination has separate utility such as matching an application process to the displayed data type, drawn to class 715, subclass 516, that is independent and distinct from the pending claims which are substantially directed to compound documents, drawn to class 715, subclass 515.

4. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 106-116 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 1-13, 41-43, 82-92, 98, and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laura Acklen & Read Gilgen ("Acklen"), *Using Corel WordPerfect 9*, 251-284, 424-434, 583-586 (1998), in view of *Webopedia Computer***

Dictionary (hereinafter “Webopedia”), pgs. 1-7 (available at www.pcwebopedia.com).

7. **Examiner Note:** The three definitions cited from Webopedia are: “OLE”, Last modified on May 16, 1998, pgs 1-3 (*available at www.pcwebopedia.com/TERM/O/OLE.html*); “OpenDoc”, Last modified on September 18, 1997, pgs. 4-6 (*available at www.pcwebopedia.com/TERM/O/OpenDoc.html*);); “Network”, Last modified on September 1, 1996, pg. 7 (*available at www.pcwebopedia.com/TERM/n/Network.html*)

Regarding independent claim 1, Acklen teaches an architecture comprising:

➤ *a table appearance manager to manage how a table appears in a document comprising a table component to support editing functionality of the table (see heading: “Organizing Information with Tables in WordPerfect”, pg. 252 et seq.: Acklen teaches a table manager to create, work, edit, format the way a table appears in a document); and*

➤ *a spreadsheet functionality manager to manage spreadsheet functions for the table and to receive data and formulas input into the table (see headings “Linking Spreadsheet Data” and “Using Spreadsheet Formulas in Tables”, pgs. 425-430: Acklen teaches a spreadsheet functionality manager that manages spreadsheet functions such as formulas, calculations, functions, floating cells, etc.).*

Acklen does not explicitly teach:

➤ *wherein the table appearance manager and the spreadsheet functionality manager are architecturally separate system managers of the architecture.*

However, Webopedia teaches that the OLE (Object Linking and Embedding) standard and the OpenDoc Application Programming Interface (API) are compound document standards/interfaces wherein the independent programs (components → i.e. spreadsheet manager and word processor table manager) are architecturally separate despite the ability of the separate architectures to work together on a single document (see Webopedia, pgs. 1 and 4).

Since both references are from the same field of endeavor, the express motivational purpose of a more efficient and streamlined integration of independent programs onto a single compound document as disclosed by Webopedia would have been recognized in the pertinent art of Acklen.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Acklen with the teachings of Webopedia to include separate architectures for the table appearance manager and the spreadsheet functionality manager.

Regarding claim 2, Acklen, in view of Webopedia, teach the architecture of claim 1, *wherein the document is a markup document* (see pgs. 583-586: Acklen

teaches that an entire document, including tables, can be converted to HTML documents).

Regarding claim 3, Acklen, in view of Webopedia, further teach the architecture of claim 1, *wherein the table appearance manager provides a formula edit box to permit the user to enter a formula into a cell of the table* (see pgs. 425-427 and Fig. 15.22: Acklen teaches a Formula Textbox).

Regarding claim 4, Acklen, in view of Webopedia, teach a table manager to create, work, edit, format the way a table appears in a document (see Acklen heading: "Organizing Information with Tables in WordPerfect", pg. 252 *et seq.*) and a spreadsheet functionality manager that manages spreadsheet functions such as formulas, calculations, functions, floating cells, etc. (see Acklen headings "Linking Spreadsheet Data" and "Using Spreadsheet Formulas in Tables", pgs. 425-430).

Regarding claim 5, Acklen, in view of Webopedia, further teach a cell table to maintain data values and formulas used in the table (see pgs. 425-427 and Figs. 15.21, 15.22 → table maintains data values and formulas); and a format table to maintain formatting information used in the table (see Acklen pgs. 264-284 → formatting information can be saved when editing the format of the table).

Regarding claim 6, Acklen, in view of Webopedia, further teach *the architecture of claim 1, wherein the spreadsheet functionality manager comprises:*

a cell table to maintain data values and formulas used in the table (see Acklen pgs. 425-427 and Figs. 15.21, 15.22 → The table maintains data values and formulas);
and

a recalculation engine to recalculate the formulas following a change to a data value or formula in the cell table (see Acklen pg. 427 → The tables can be set to automatically recalculate when you make changes).

Regarding claim 7, Acklen, in view of Webopedia, further teach *the architecture of claim 1, wherein the spreadsheet functionality manager comprises:*

a cell table to maintain data values and formulas used in the table (see Acklen pgs. 425-427 and Figs. 15.21, 15.22 → The table maintains data values and formulas);

a delay parser to parse input for the cell table as needed (see Acklen pg. 427 – “View Error” → If you incorrectly build a formula, this command will allow you to find out why you got the error and how to fix the problem. It is therefore inherent that the input is parsed in order to determine whether a formula is entered correctly for calculation or in need of correction due to error); and

a recalculation engine to recalculate the formulas following a change to a data value or formula in the cell (see Acklen pg. 427 → The tables can be set to automatically recalculate when you make changes).

Regarding claims 8-10, Acklen , in view of Webopedia, further teach *the architecture of claim 1, wherein multiple tables appear in **one or more documents**, and the spreadsheet functionality manager is configured to maintain data and formulas for the multiple tables and track references made from one table to another table, the spreadsheet functionality being further configured to update any data and formulas in the multiple tables that is affected by a change made to one of the tables (see Acklen pgs. 431-434 – “Project”; see also Fig. 15.30 → WordPerfect’s built-in spreadsheet capabilities allows the ability to link (*track references*) between a database table and a document table with formulas. Therefore, changes to one of the tables will automatically update any data and formulas affected by the change).*

Regarding claim 11, Acklen, in view of Webopedia, further teach *the architecture of claim 1, wherein multiple tables appear in one or more documents, and wherein:*

the table appearance manager comprises multiple spreadsheet components so that there is one spreadsheet component for an associated table, each spreadsheet component being configured to capture data and formulas input into the associated table; and the spreadsheet functionality manager comprises multiple grid components so that there is one grid component for an associated table and an associated spreadsheet component, each grid component maintaining the data, the formulas, and formatting used in the associated table (see pgs. 252-284 – “Organizing Information

with Tables in WordPerfect" → Acklen teaches a table manager to create, work, edit, format the way a table appears in a document).

Regarding claim 12, Acklen, in view of Webopedia, further teach *the architecture of claim 1, further comprising a document renderer to render the document* (see Acklen pgs. 277-284 → WordPerfect allows the adding of realism to computer graphics by adding 3D qualities such as a shadows and variations in color and shade).

Regarding claim 13, Acklen teaches a *table appearance manager and the spreadsheet functionality manager*, but does not explicitly teach that the managers *reside on different computers*. However, Webopedia teaches that functions may reside on different computers in a computer network (see pg. 7). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to separate a table manager and a spreadsheet manager for the motivational purpose of saving hard drive space on a particular computer.

Regarding independent claims 41, 82, and 98, Acklen, in view of Webopedia, teach the architecture with respect to independent claim 1 as discussed above.

Furthermore, Acklen teaches *an architecture comprising*:

➤ first and second tables renderable for display as part of a common document (see pg. 254 → The Drag to Create a New Table option in the Create

Table dialog box enables you to create a second table inside of a first table (*nested*). After the second table is created, you can work with it just the same as the first table);

➤ *a first spreadsheet component to receive at least one of data or a first formula entered into a first cell in the first table; a first grid component to hold the data or first formula in association with the first cell of the first table (see Fig.*

15.21 → Please note grid component and cells which can hold data and formulas; see also pgs. 425-430 - “Linking Spreadsheet Data” and “Using Spreadsheet Formulas in Tables” → Spreadsheet manager manages spreadsheet functions such as formulas, calculations, functions, floating cells, etc.);

➤ *a second spreadsheet component to receive at least a second formula entered into a second cell in the second table, the second formula referencing the first cell in the first table; and a second grid component to hold the second formula in association with the second cell of the second table (see Fig. 15.21 → notice grid component and cells which can hold data and formulas; see also pgs. 425-430 - “Linking Spreadsheet Data” and “Using Spreadsheet Formulas in Tables” → Spreadsheet manager manages spreadsheet functions such as formulas, calculations, functions, floating cells, etc.).*

Regarding claims 42, 83, 84, please refer to the rationale relied upon to reject claim 41.

Regarding claim 43, Acklen, in view of Webopedia, teach *the architecture of claim 41, wherein the second spreadsheet component presents a formula edit box to allow user entry of the second formula* (see Acklen pgs. 425-427 and Fig. 15.22 → The Formula Textbox).

Regarding claims 85-92, Acklen, in view of Webopedia, teaches the method integrating text and a spreadsheet table within a common document as discussed in the rejection of independent claim 82 above.

Moreover, the functions claimed in claims 85-92 are taught by Acklen (i.e., WordPerfect) as shown in the Acklen Table of Contents: Part I – Chapters 3 (“Basic Formatting”) and 4 (“Using Writing Tools” – spell check, grammar check, find, replace, etc.) and Part IV (“Working with Graphics”). An expanded Table of Contents is further submitted for Applicant’s benefit.

Regarding claim 103, please refer to the rationale relied upon to reject claim 102.

8. **Claims 44-50, 99-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laura Acklen & Read Gilgen ("Acklen"), *Using Corel WordPerfect 9*, 251-284, 424-434, 583-586 (1998), in view of *Webopedia Computer Dictionary* (hereinafter "Webopedia"), pgs. 1-7 (available at www.pcwebopedia.com).**

Regarding claims 44-49, 99, and 100, Acklen, in view of Webopedia, teach the architecture of claim 41 and 42 as discussed above, but does not specifically teach the architecture wherein the second spreadsheet component facilitates reference editing to the first cell in the first table comprising a recalculation engine wherein the first and second tables are updated to reflect a result produced by the recalculation engine.

However, Redpath teaches a plurality of math cells located within a common compound document, all linked together (i.e. *dependencies*) so that related math parts are evaluated and updated upon user input. In response to user input, each math cell in the first set automatically displays the results from the reevaluation (i.e. *recalculation*) of its computational functions (i.e. *formulas*) (see col. 2, lines 38-40, 61-63; col. 3, lines 60 *et seq.*).

Since Acklen, in view of Webopedia, and Redpath are from the same field of endeavor, the purposes disclosed by Redpath would have been recognized in the pertinent art of Acklen, in view of Webopedia. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Acklen, in view of Webopedia, with the teachings of Redpath to include

reference editing between tables in a common compound document for the express motivational purpose of linking calculations between cells and thus, automatically recalculating and updating functions upon user input for both tables.

Regarding claims 50 and 101, Acklen, in view of Webopedia, further teach a free floating field renderable in the document but separately from the first and second tables; a third spreadsheet component to receive a third formula entered into the free floating field (see Acklen pgs. 429-430); and a third grid component to hold the third formula table (see Fig. 15.21 → Notice grid component and cells which can hold data and formulas; see also pgs. 425-430 - “Linking Spreadsheet Data” and “Using Spreadsheet Formulas in Tables” → Spreadsheet manager manages spreadsheet functions such as formulas, calculations, functions, floating cells, etc.).

Response to Arguments

9. Applicant's arguments with respect to claims filed on 3/6/2006 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's remarks center upon and challenge what “was commonly known” by one of ordinary skill in the art at the time of the invention. Examiner has now presented factual supporting evidence, with the addition of the Webopedia Computer Dictionary Definitions and the expanded Acklen Table of Contents, to firmly establish that the

contended claim limitations were obvious to one of ordinary skill in the art at the time of the invention.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB
5/9/06


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100